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38W 263/11

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|--|--|------------------------|------------------|
| | | Application Number | 09/765,001 |
| | | Filing Date | January 18, 2001 |
| | | First Named Inventor | Gary R. Lomp |
| | | Art Unit | 2631 |
| | | Examiner Name | Phu, Phuong M. |
| Total Number of Pages in This Submission | | Attorney Docket Number | I-2-0091.11US |

| ENCLOSURES (Check all that apply) | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449 and Copies of Twenty-Four (24) Cited References |
| Remarks | | |

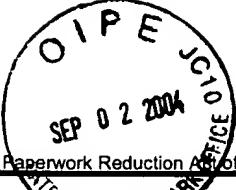
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
|---|---|--|
| Firm or Individual name | Jeffrey M. Glabicki Volpe and Koenig, P.C. | |
| Signature | | |
| Date | 8/31/04 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|--|---------------------|-----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | |
| Typed or printed name | Jeffrey M. Glabicki | |
| Signature | | Date 8/31/04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known

| | |
|----------------------|------------------|
| Application Number | I-2-0091.11US |
| Filing Date | January 18, 2001 |
| First Named Inventor | Gary R. Lomp |
| Examiner Name | Phu, Phuong M. |
| Art Unit | 2631 |
| Attorney Docket No. | I-2-0091.11US |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

| | |
|------------------------|---|
| Deposit Account Number | 09-0435 |
| Deposit Account Name | InterDigital Communications Corporation |

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-------------------|--------------|---------------|---------------|------------------------|----------|
| 1001 | 2001 | 770 | 385 | Utility filing fee | |
| 1002 | 2002 | 340 | 170 | Design filing fee | |
| 1003 | 2003 | 530 | 265 | Plant filing fee | |
| 1004 | 2004 | 770 | 385 | Reissue filing fee | |
| 1005 | 2005 | 160 | 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | 0 | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| | | | | | |
| | | | | | |
| | | | | | |

| Large Entity | Small Entity | Fee Description |
|-------------------|--------------|---|
| 1202 | 2202 | 18 9 Claims in excess of 20 |
| 1201 | 2201 | 86 43 Independent claims in excess of 3 |
| 1203 | 2203 | 290 145 Multiple dependent claim, if not paid |
| 1204 | 2204 | 86 43 ** Reissue independent claims over original patent |
| 1205 | 2205 | 18 9 ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$) | | 0 |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity

Small Entity

| Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee (\$) | Fee Description | Fee Paid |
|---------------|----------|---------------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | 180 |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180)

SUBMITTED BY

(Complete if applicable)

| | | | | | |
|-------------------|---------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Jeffrey M. Glabicki | Registration No. (Attorney/Agent) | 42,584 | Telephone | 215-568-6400 |
| Signature | [Signature] | | | Date | 9/3/04 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the **PATENT APPLICATION** of:

Gary R. Lomp

Application No.: 09/765,001

Confirmation No.: 7271

Filed: January 18, 2001

For: MEDIAN WEIGHTED TRACKING FOR
SPREAD-SPECTRUM COMMUNICATIONS

Group: 2631

Examiner: Phu, Phuong M.

Our File: I-2-0091.11US

Date: August 31, 2004

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
INCLUDING RULE 1.97(e)(2) AND RULE 1.704(d) STATEMENTS**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed Form PTO-1449. Copies of the cited references are enclosed.

The fee set forth in §1.17(p) is enclosed.

Pursuant to Rule 1.704(d), the undersigned certifies that references IX, JB, JD and JU in this Supplemental Information Disclosure Statement (SIDS) was cited in a communication from the U.S. Patent and Trademark Office in a related application and that this communication was not received by any individual designated in §1.56(c) more than thirty (30) days prior to the filing of the SIDS.

Pursuant to 37 C.F.R. §1.97(e)(2), references IX-IY, JB, JD, JG-JI, JL and JU in this SIDS was cited in any communication from a foreign patent office in a counterpart

09/02/2004 MBLANCO 00000035 090435 09765001
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Applicant: Gary R. Lomp
Application No.: 09/765,001

foreign application, nor, to the knowledge of the undersigned after making reasonable inquiry, known to any individual designated in §1.56(c) more than three months prior to the filing of this SIDS.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the Form PTO-1449 indicating consideration of the cited materials.

Respectfully submitted,

Gary R. Lomp

By 

Jeffrey M. Glabicki
Registration No. 42,584
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

JMG/sag
Enclosures

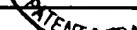


| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | | | ATTY. DOCKET NO. I-2-0091.11US | | SERIAL NO. 09/765,001 | | | |
|--|----|-----------------|-----------------------------------|-----------------|--------------------------|----------|----------------------------|----|
| | | | APPLICANT Gary R. Lomp | | | | | |
| | | | FILING DATE January 18, 2001 | | GROUP 2631 | | | |
| U.S. PATENT DOCUMENTS | | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
| | IX | 5,107,225 | 04/1992 | Wheatley et al. | | | | |
| | IY | 5,228,054 | 07/1993 | Rueth et al. | | | | |
| | IZ | 5,253,347 | 10/1993 | Bagnoli et al. | | | | |
| | JA | 5,276,907 | 04/1994 | Meidan | | | | |
| | JB | 5,299,226 | 03/1994 | Schilling | | | | |
| | JC | 5,329,547 | 07/1994 | Ling et al. | | | | |
| | JD | 5,410,568 | 04/1995 | Schilling | | | | |
| | JE | 5,574,983 | 11/1996 | Duozeno et al. | | | | |
| | JF | 5,604,730 | 02/1997 | Tiedemann, Jr | | | | |
| | JG | 5,619,526 | 04/1997 | Kim et al. | | | | |
| | JH | 5,627,835 | 05/1997 | Witter | | | | |
| | JI | 5,710,768 | 01/1998 | Ziv et al. | | | | |
| | JJ | 5,748,687 | 05/1998 | Ozluturk et al. | | | | |
| | JK | 5,771,451 | 06/1998 | Takai et al. | | | | |
| | JL | 5,790,591 | 09/1998 | Gold et al. | | | | |
| | JM | 5,878,350 | 03/1999 | Nakamura et al. | | | | |
| | JN | 5,884,187 | 03/1999 | Ziv et al. | | | | |
| | JO | 5,884,196 | 03/1999 | Lekven et al. | | | | |
| | JP | 6,212,174 | 04/2001 | Lomp et al. | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
| | JQ | 0505341A | 09/1992 | Europe | | | | |
| | JR | 0637179A | 02/1995 | Europe | | | | |
| | JS | 9013942 | 1990 | WO | | | | |
| | JT | 9512257 | 05/1995 | WO | | | | |
| EXAMINER | | | | DATE CONSIDERED | | | | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Sheet _2_ of _2_

| | | |
|---|---|--|
|  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. I-2-0091.11US | SERIAL NO. 09/765,001 |
| APPLICANT Gary R. Lomp | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | FILING DATE January 18, 2001 | GROUP 2631 |
| (Use several sheets if necessary) | | |

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|---|
| | JU | U.S. Publication No. 2003/0193914, Lomp et al., October 2003. |
| | | |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.